

The same could be said for overtime. I don't believe that most of our colleagues can fully appreciate the depth of feeling, the magnitude of anger and frustration that is out there on this particular issue. I have talked to firemen and policemen and nurses and first responders. I must say they cannot believe that their Government is devising ways with which to reduce and in some cases actually eliminate overtime. They can't believe that they may be among the 8 million Americans whose overtime will be lost when this bill passes. They can't believe it. They always thought if you work hard and play by the rules, especially working overtime, you are going to get paid. Now they have their own Government saying, in a memo produced by the Department of Labor, if you want to reduce wages, we will give you a way to reduce overtime.

What kind of progress in society is that? For all these years we have marched forward, recognizing we are going to reward work. What does this memo and what does the provision in this legislation say? We are not going to reward work anymore. In fact, we are going to find ways to get out from under the reward for work. How can anybody sustain that position here in this body? How can anybody with pride or with any conviction say that is the right policy now, after all these years? But that is what we are doing.

Mr. REID. Will the Senator yield for a question?

Mr. DASCHLE. I will be happy to yield.

Mr. REID. Do I understand that the Senate and the House, on both overtime and mad cow, or country of origin, voted by large majorities to have there be a continuation of overtime and to have country-of-origin labeling on all beef that comes into the United States? Did both bodies, by an overwhelming vote, sustain country of origin and elimination of the President's effort to wipe out overtime?

Mr. DASCHLE. The assistant Democratic leader is correct. That is a succinct summary of what we did. We voted to ensure there be country-of-origin labeling, like 43 other countries have in the world today, knowing we will not be able to export our product to Japan unless it is labeled. We did that.

When we found out the administration actually wanted to eliminate overtime, we said we are going to prohibit that.

As the distinguished assistant Democratic leader's question suggests, the administration—over the objections, I would say, of the Presiding Officer and others on both sides of the aisle from the Senate—insisted that be part of the appropriations process and this omnibus bill.

There is a third issue, and that is media concentration. Many of us are

deeply concerned about concentration of media ownership, and for good reason. We have seen far too many examples already of what pressure is brought to bear at the local and even at the national level as a result of the power of ownership in media today. I must say, it gets worse and worse with each passing year. What we said is there ought to be a threshold on ownership of no more than 35 percent. That was a position taken on a rollcall vote here in the Senate. Incredibly, it was a position taken on a rollcall vote in the House of Representatives. Yet what does this omnibus bill do? This bill overrides both the vote taken in the House and the vote taken in the Senate. It is not representative whatsoever of the positions of either body, but it is in this bill.

How did it happen? Where was the rollcall vote in the conference to overturn this incredible decision? It happened in the dead of night. It happened because of an ultimatum. It happened because of pressure from the White House and people who did not hold those views in the House who lost the first time.

I worry about this precedent from the point of view of the institution. What does it mean in a democracy when 100 Senators vote, take a position, and when 435 Members of the House vote and take a position, and a cabal in the dark of night with no rollcall vote can overrule that position willy-nilly, with absolutely no record, with no fingerprints, and nullify the actions taken by the bodies themselves? What precedent does that set in our democracy today? Where will this take us in the future? How many more of these incredible overturning of position events will occur before all of us rise up in indignation and say what is a democracy if that is the result, that we can actually go to a conference and have a small group of people overturn the majority of Republicans and Democrats on important issues like this?

I must say, regardless of philosophy, regardless of politics, regardless of the issue, if you care about this institution, 100 people ought to be on this floor to talk about this today. So I am worried about that and I am worried about the policy itself.

But I know why we will probably get cloture today. Nobody here wants to be accused of shutting the Government down. Everybody understands the commitment that this legislation reflects in its support for veterans and for so many other things that we care deeply about. Senators are put in a very difficult position. I understand that. Do you support veterans or do you support an effort to deal with mad cow? Do you support highways and transportation or do you support an effort to confront this onerous provision eliminating overtime? Do you support housing or do you support an effort to retain the

Senate position with regard to media concentration? That is a tough position for anybody to be in, especially people in politics. So we may lose this cloture vote today. I suspect we will. And I understand why.

But I must say, first we ought to be concerned. I don't care whether you are in the majority or minority, Democrat or Republican, liberal or conservative, we ought to be concerned when some small group of people, in the dark of night, overturn legitimate public rollcall decisions made by this body. We ought to be concerned about that because I think it is an erosion of democracy in our Republic that is deplorable, deplorable. How many more times is it going to happen? How does it render the Senate, this so-called deliberative body, when we can deliberate, make tough decisions here on the Senate floor, only to be overturned? What does it say?

With regard to the issues themselves I will say this: I said a couple of days ago this is the beginning. It was not our desire to shut the Government down, to block this bill ultimately. We wanted to give our Republican colleagues a chance to fix it. They have chosen not to fix any of these issues. But we will be back. We must be back. We will continue to offer amendments on whatever vehicle is presented to us. We are now preparing Congressional Review Act resolutions. The legislative veto is available to us on some of these matters and we will use it.

So we will be back again and again. These issues will not go away. We will continue to fight and we will continue to work, first, because we care about the institution but, second, because we care about these policies.

So, Mr. President, it is with great concern—chagrin, that we find ourselves in a position today that I wish had never presented itself to this body.

We will have a vote on cloture. We may have a vote on final passage. But it will not be the last vote on these issues.

I hope in the interest of this institution we will learn the hard lessons that these specific problems have created for each of us.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2004—CONFERENCE REPORT

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the conference report to accompany H.R. 2673, which the clerk will report.